

DECLARATION OF
COVENANTS AND RESTRICTIONS
FOR

CHERYL ESTATES
A SUBDIVISION PLATTED AND RECORDED AT
BOOK _____, PAGE _____, RECORDING NO.
_____, ON _____ DAY OF _____, 1977.

607071
8-25-77

This Declaration of Covenants and Restrictions (Declaration) is made and published this _____ day of _____, 1977, by and between Roosevelt National Life Insurance Company, an Illinois corporation, located in Springfield, Illinois (Developer) and any and all persons, firms or corporations hereinafter acquiring any of the property legally described as Cheryl Estates:

A part of the Northwest Quarter of Section 34, Township 15 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, more particularly described as follows:

Commencing at a stone at the Southeast corner of said Northwest Quarter; thence North 1°12'07" West, 40.90 feet to an iron pin in the North right of way line of County Highway 5A; thence South 87°40'53" West, along and with the North right of way line of County Highway 5A, 248.92 feet to an iron pin; thence North 1°12'07" West, 10.00 feet for the point of beginning.

From said point of beginning; thence South 87°40'53" West, along and with the North right of way line of County Highway 5A, 498.69 feet; thence North 2°13'37" West, 405.00 feet; thence South 87°42'33" West, 335.01 feet to the East right of way line of a public road; thence North 3°08'48" East, along and with the East right of way line of a public road 186.55 feet to a point of curve; thence in a Northeasterly direction 749.81 feet along a curved line concave to the East and having a radius of 1075.92 feet and whose chord bears North 29°27'28" East; thence North 50°39'38" East, 188.58 feet; thence North 88°47'53" East, 552.20 feet to a point in the East line of said Northwest Quarter; thence South 1°12'07" East along and with the East line of said Northwest Quarter, 978.00 feet; thence South 87°40'53" West, 248.92 feet; thence South 1°12'07" East, 340 feet to the point of beginning containing 24.69 acres more or less.

All of which has been presently platted as Cheryl Estates located in SANGAMON COUNTY, SPRINGFIELD, ILLINOIS.

WHEREAS, it is in the best interest of the Developer as well as to the benefit, interest and advantage of each and every person or other entity hereinafter acquiring any of the heretofore described property that contain these covenants and restrictions, to regulate the use and development of the property and to declare that these covenants and restrictions run with the land.

NOW, THEREFORE, in consideration of the premises, the Developer agrees with any and all persons, firms, corporations or other entities hereinafter acquiring any of the said property that the same shall be and is hereby subject to the following restrictions and covenants (Restrictions) relating to the use and development of the property, said restrictions to be construed to be covenants running

with the land which shall be binding on all parties having or acquiring any right, title or interest in the described property, or any part thereof and which shall annure to the benefit of each owner thereof. Every person or other party hereinafter acquiring any of the property by acceptance of a deed, contract for deed, or other conveyance of any interest in or to said properties, and regardless of whether the same shall be signed by such persons and whether or not such person shall otherwise consent in writing, shall take such property interest subject to this Declaration and to the terms and conditions hereof and shall have been deemed to have consented to the same.

- 1) All platted properties within Cheryl Estates may have buildings holding between one to four units.
- 2) Lots 1, 2, 3, and 4 are restricted for one duplex per lot only.
- 3) Lots 18, 19, and 20 may be used for up to 12 three-bedroom apartments or 16 two-bedroom apartments.
- 4) Lots 8, 9, 28, 29, 30, 33, 39, 40 and 41 may be used for up to 6 two-bedroom apartments or 8 one-bedroom apartments.
- 5) No building may be connected by party wall or otherwise to any other building or any other adjoining lot.
- 6) All four-plex buildings shall have a square foot minimum of 3,000 square feet per building.
- 7) All building plans are subject to review and approval by an Architectural Control Committee of four persons appointed by the Developer prior to the construction of any building on any lot.
- 8) All residential construction shall not exceed 35 feet in height, however, this limitation shall not apply to any communication or electrical equipment or antenna or housing for heating or cooling or auxiliary equipment.
- 9) All office construction shall not exceed 40 feet in height, however, this limitation shall not apply to any communication or electrical equipment or antenna or housing for heating or cooling or auxiliary equipment.

10) All signs located on the property fronting on the frontage road shall be limited to that allowed by ordinance in the R-5 zoning district.

11) For the purpose of protecting certain easements granted to City Water, Light and Power, there will be no permanent construction, concrete parking areas or other asphalt or concrete covered areas other than normal entrance and exit drives for the construction intended and excepting normal sidewalks in front or about the intended construction area.

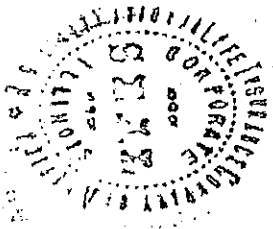
12) For the sole purpose of determining whether adequate electrical power is available at the time construction is planned and not for approval of said plans, all construction plans specifying electrical requirements shall be submitted to the City Water, Light and Power.

IN WITNESS WHEREOF, the Developer has caused this Declaration of Covenants and Restrictions to be duly signed this 17th day of August, 1977.

ROOSEVELT NATIONAL LIFE INSURANCE COMPANY OF AMERICA

BY Robert E. SchAAF
Robert E. SchAAF
Senior Vice President & Treasurer

ATTEST: Michael W. Atkins
Michael W. Atkins
Assistant Secretary



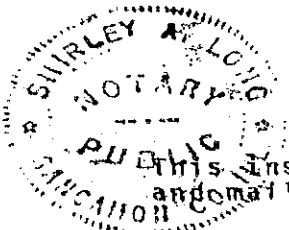
(SEAL)

STATE OF ILLINOIS)
COUNTY OF SANGAMON) ss.

The foregoing instrument was acknowledged before me this 17th day of August, 1977, by ROBERT E. SCHAAF, Senior Vice President and Treasurer of ROOSEVELT NATIONAL LIFE INSURANCE COMPANY, an Illinois corporation, and by MICHAEL W. ATKINS, Assistant Secretary of said corporation, all on behalf of said corporation, and caused the corporate seal of said corporation to be affixed thereto pursuant to authority given by the Board of Directors of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Shirley A. Long
Shirley A. Long, Notary Public

My Commission expires: May 22, 1980



(SEAL)

This instrument prepared by and mail to:

MICHAEL W. ATKINS
Attorney at Law
P.O. Box 5147
Springfield, IL 62705

BOOK 1312 PAGE 914



DOC-R 607071
RECORDED

1977 AUG 25 PM 2:16

Mary Ann Lamm
ORDER OF DEEDS
SANGAMON COUNTY, ILL.

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